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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 21st June, 1984/Jyaistha 31, 1906 (Saka)

THE NATIONAL SECURITY (SECOND AMENDMENT) ORDINANCE, 1984

No. 6 OF 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India.

An Ordinance further to amend the Na ional Security Act, 1980.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitu ion, the President is pleased to promulgate the following Ordinance:—

1. (*1*) This Ordinance may be called the National Security (Second Amendment) Ordinance, 1984. Short title and commencement.

(2) It shall come into force at once.

Insertion of new section 5A.

2. In the National Security Act, 1980 (hereinafter referred to as the principal Act), after section 5, the following section shall be inserted, namely:— 65 of 1980.

Grounds of detention severable.

"5A. Where a person has been detained in pursuance of an order of detention [whether made before or after the commencement of the National Security (Second Amendment) Ordinance, 1984] under section 3 which has been made on two or more grounds, such order of detention shall be deemed to have been made separately on each of such grounds and accordingly—

(*a*) such order shall not be deemed to be invalid or inoperative merely because one or some of the grounds is or are—

(*i*) vague,

(*ii*) non-existent,

(*iii*) not relevant,

(*iv*) not connected or not proximately connected with such person, or

(*v*) invalid for any other reason whatsoever,

and it is not, therefore, possible to hold that the Government or officer making such order would have been satisfied as provided in section 3 with reference to the remaining ground or grounds and made the order of detention;

(*b*) the Government or officer making the order of detention shall be deemed to have made the order of detention under the said section after being satisfied as provided in that section with reference to the remaining ground or grounds.".

Amendment of section 14.

3. In section 14 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The expiry or revocation of a detention order (hereafter in this sub-section referred to as the earlier detention order) shall not [whether such earlier detention order has been made before or after the commencement of the National Security (Second Amendment) Ordinance, 1984] bar the making of another detention order (hereafter in this sub-section referred to as the subsequent detention order) under section 3 against the same person:

Provided that in a case where no fresh facts have arisen after the expiry or revocation of the earlier detention order made against such person, the maximum period for which such person may be detained in pursuance of the subsequent detention order shall, in no case, extend beyond the expiry of a period of twelve months from the date of detention under the earlier detention order.".

4. In the principal Act as applicable to the State of Punjab and the Union territory of Chandigarh, in section 14A, in sub-section (*2*),— Amendment of section 14A.

(*i*) in the opening portion, for the words and figures "sections 10 to 13", the words and figures "sections 10 to 14" shall be substituted;

(*ii*) after clause (*d*), the following clause shall be inserted, namely:—

'(*e*) in section 14, in the proviso to sub-section (*2*), for the words "twelve months", the words "two years" shall be substituted.'.

ZAIL SINGH,

President.

R. V. S. PERI SASTRI,

Secy. to the Govt. of India.

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